

EXHIBIT 13

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)
) CASE NUMBER
) 2:11-CR-10(1)
 PLAINTIFF,)
)
 VS.)
) COLUMBUS, OHIO
 SEAN D. MURPHY,) OCTOBER 17, 2011
)
)
 DEFENDANT.)

**TRANSCRIPT OF TESTIMONY OF DAVID NASSOR
DURING THE JURY TRIAL - DAY 2**
BEFORE THE HONORABLE GEORGE C. SMITH
UNITED STATES DISTRICT JUDGE AND A JURY

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF: SALVADOR DOMINGUEZ, AUSA
HEATHER HILL, AUSA
FOR THE DEFENDANT: SEAN MURPHY, PRO SE
DAVID GRAEFF, STAND-BY COUNSEL

DENISE N. ERRETT, OFFICIAL FEDERAL COURT REPORTER
(614) 719-3029

EXCERPT OF PROCEEDINGS

- - -

IN OPEN COURT:

THE COURT: Call your next witness.

MR. DOMINGUEZ: Your Honor, David Nassor, please.

THE COURT: That is spelled how?

MR. DOMINGUEZ: N-A-S-S-O-R, Your Honor.

COURTROOM DEPUTY CLERK: Mr. Nassor, will you please raise your right hand?

(Whereupon, the witness was sworn in by the Courtroom Deputy Clerk.)

COURTROOM DEPUTY CLERK: Thank you.

THE COURT: You may proceed.

MR. DOMINGUEZ: Thank you, Your Honor.

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DAVID NASSOR,

AFTER HAVING BEEN FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

- - -

DIRECT EXAMINATION

BY MR. DOMINGUEZ:

Q. Sir, would you please state your name?

A. David Nassor.

Q. Good afternoon, Mr. Nassor. Sir, you have come into the courtroom, and you have an orange jumpsuit on. Are you presently incarcerated?

1 A. Could you repeat that question, please?

2 Q. Did Mr. Murphy approach you again and request that you do
3 something for him?

4 A. Yes, he did.

5 Q. And what did he ask you to do, sir?

6 A. He asked me to drive to Ohio, and put several addresses in
7 a GPS system.

8 Q. Who put addresses in a GPS system?

9 A. I got a GPS system from Sean, who actually put them in
10 there, but they were in there when I received it.

11 Q. Very well.

12 Do you recall what type of GPS it was?

13 A. Maybe a TomTom.

14 Q. Okay. And what did he want you to do in Ohio, sir?

15 A. Just surveil a few places.

16 Q. Did he ask you to come to Columbus to surveil a place in
17 particular?

18 A. Yes, he did.

19 Q. And when you say "surveil," sir, what do you mean by that
20 term?

21 A. See what time people come in and leave.

22 Q. Was there a particular location?

23 A. Yes.

24 Q. And what was that?

25 A. I'm not sure of the address, specifically.

1 Q. Do you know what type of facility it was?

2 A. A Brink's armored car.

3 Q. Like a building facility, warehouse?

4 A. Correct.

5 Q. Did you get a chance to actually see the facility, sir?

6 A. Yes.

7 MR. DOMINGUEZ: May I approach, Your Honor?

8 THE COURT: You may.

9 BY MR. DOMINGUEZ:

10 Q. Mr. Nassor, I've just handed you what's marked for
11 identification purposes and labeled Government's Exhibit 1A-2
12 and 1A-3 for identification again. Do you recognize anything
13 in those photographs, sir?

14 A. Yes.

15 Q. And what is it, sir?

16 A. It's a building that I was looking at.

17 Q. You may set those to the side.

18 A. (Witness complies.)

19 Q. You've identified the building there at 1362 -- well, it
20 just says "1362," and you don't remember the street address or
21 what the street name was, correct?

22 A. No. I actually remembered what it was.

23 Q. Why is that?

24 A. Because there's an Essex Street in Lynn.

25 Q. Okay. So it was Essex?

1 A. Correct.

2 Q. And there's an Essex Street in Lynn?

3 A. Yes. It's where the courthouse is.

4 Q. Is there an Essex County, I believe, in Massachusetts, as
5 well, correct?

6 A. Yes.

7 Q. Now, had you ever been to that facility, or that street,
8 or that area in Columbus, Ohio, prior to January of 2009?

9 A. No.

10 Q. And what specific instructions were given to you by Mr.
11 Murphy?

12 A. See what time people leave and what time they come in in
13 the morning.

14 Q. And was there a particular day of the week that you were
15 to provide this service?

16 A. Saturday night.

17 Q. Did he tell you why he wanted you to do that on a Saturday
18 night?

19 A. Not outright, no.

20 Q. Did you have a feeling as to why he wanted you to do the
21 surveillance?

22 MR. MURPHY: Objection.

23 MR. DOMINGUEZ: I'll pass.

24 BY MR. DOMINGUEZ:

25 Q. But you knew he wanted you to watch what time people left

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 PLAINTIFF,)
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) COLUMBUS, OHIO
 SEAN D. MURPHY,)
) OCTOBER 19, 2011
)
)
 DEFENDANT.)

TRANSCRIPT OF TESTIMONY OF ROBERT DOUCETTE
DURING THE JURY TRIAL - DAY 4
BEFORE THE HONORABLE GEORGE C. SMITH
UNITED STATES DISTRICT JUDGE AND A JURY

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF: SALVADOR DOMINGUEZ, AUSA
HEATHER HILL, AUSA

FOR THE DEFENDANT: SEAN MURPHY, PRO SE
DAVID GRAEFF, STAND-BY COUNSEL

GEORGINA L. WELLS & DENISE N. ERRETT
OFFICIAL FEDERAL COURT REPORTERS
(614) 719-3225

EXCERPT OF PROCEEDINGS

- - -

THE COURT: Good morning.

You may call your first witness.

MR. DOMINGUEZ: Thank you, Your Honor. We would call
Robert Doucette to the stand.

THE COURT: That's spelled D-O-U-C-E-T-T-E?

MR. DOMINGUEZ: That is correct, Your Honor.

(Whereupon, the witness was sworn in by the Courtroom
Deputy Clerk.)

THE COURT: You may examine.

MR. DOMINGUEZ: Thank you, Your Honor.

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ROBERT DOUCETTE,

AFTER HAVING BEEN FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

- - -

DIRECT EXAMINATION

BY MR. DOMINGUEZ:

Q. Sir, would you please state your name?

A. Robert Doucette.

Q. Mr. Doucette, in what state do you presently reside?

A. Massachusetts.

Q. And would that be in the Greater Boston Metropolitan Area?

A. That is correct.

Q. Mr. Doucette, do you know Sean Murphy?

1 Q. Do you know him by any nickname?

2 A. Damien.

3 Q. And do you know Joe Morgan by any nickname?

4 A. Joe Schmo.

5 Q. Joe Schmo, or JoMo?

6 A. JoMo. Joe Schmo.

7 Q. Both?

8 A. Both.

9 Q. Very well.

10 MR. DOMINGUEZ: May I approach, Your Honor?

11 THE COURT: Yes, sir.

12 BY MR. DOMINGUEZ:

13 Q. I ask you to take a look at those, sir.

14 A. Okay.

15 Q. I've just handed you, for the record, sir, Government's
16 Exhibit 16-1 and 16-3. Do you recognize those, sir?

17 A. Yes.

18 Q. What is in Government's Exhibit 16-1, sir?

19 A. That is Joseph Morgan.

20 Q. 16-3?

21 A. David Nassor.

22 Q. If I may, Mr. Doucette, I am going to invite your
23 attention to the fall of 2008, September-October time frame.
24 Did you, by chance, have any discussion with Mr. Murphy in that
25 time frame regarding something he desired to do relative to a

1 burglary?

2 A. Yes.

3 Q. Tell us about that.

4 A. He approached me with an idea to break into a Brink's
5 company.

6 Q. And what did he tell you about that, sir?

7 A. He showed me pictures on the Internet and brief detail of
8 what his plan was.

9 Q. And would you tell the ladies and gentlemen of the jury
10 what his plan was?

11 A. His plan was to drive down there during a holiday weekend
12 and break into the place, try to do it in a timely manner over
13 the course of one night, and return the same weekend.

14 Q. Did he -- without going into detail, because we'll get
15 there, but did he tell you, at all, about how he planned to
16 carry this out?

17 A. At this point in time, not yet. He wasn't getting into
18 full details.

19 Q. Moving along to the time frame of December of 2008, did
20 you have any discussions with Mr. Murphy regarding a telephone
21 cell jammer?

22 A. Yes.

23 Q. What did he tell you about that?

24 A. That he needed to acquire one, and that he was going to
25 send David Nassor to go and pick one up that he had ordered.

1 Q. Did he tell you where he had ordered it from?

2 A. No, just off the Internet, no specific location.

3 Q. Did he tell you where he was going to send Mr. Nassor to
4 obtain this item?

5 A. No, no specific location, just that he couldn't do it on
6 the east coast due to the high security within New Jersey,
7 Boston, and New York. So he had to go west.

8 Q. Did he tell you how he was going to have the item
9 delivered wherever it was going to go west?

10 A. He was very vague. They were going to go do it at a
11 hotel.

12 Q. Do you know whether or not that Mr. Nassor had
13 accomplished this function?

14 A. Yes.

15 Q. And how do you know that?

16 MR. MURPHY: Objection. Hearsay, Your Honor.

17 THE COURT: Overruled.

18 BY MR. DOMINGUEZ:

19 Q. Do you know if Mr. Nassor had accomplished this function?

20 A. Yes.

21 Q. And how do you know that?

22 A. I was with Sean when he got the phone call.

23 Q. And when you say when Sean got the phone call, what do you
24 mean by that?

25 A. He had gotten a phone call that he was -- they had a

EXHIBIT 14



The Commonwealth of Massachusetts

LYNN DIVISION

DISTRICT COURT DEPARTMENT OF THE TRIAL COURT

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ALBERT S. CONLON
Presiding Justice

JANE BRADY STIRGWOLT
Clerk Magistrate

DEAR SCAM:

I JUST GOT YOUR LETTER
AS I WAS IN TUCUMAN FOR
A COUPLE OF WEEKS.

OUR JUDICIAL CONDUCT CODE
DOES NOT PERMIT ME TO WRITE
DIRECTLY TO THE SENTENCING
JUDGE BUT I CAN SPEAK AT
LENGTH TO YOUR ATTORNEY WHO
CAN THEN QUOTE ME. PLEASE HAVE
HIM/HER CALL ME AT ANY TIME
AND I'll GIVE THEM AS MUCH
BACKGROUND AS I CAN.

DROP ME A LINE AND
LET ME KNOW WHAT THE COLLECTION
INVOLVED ~~AND~~ WHAT THE SENTENCING
OPTIONS LOOK LIKE, AND WHAT OTHER
CASES YOU HAVE PENDING & THEIR
LIKELY IMPACT.

Very Truly Yours

A handwritten signature in dark ink, appearing to read "Albert S. Conlon".

TO: The Honorable George C. Smith
Judge, U.S. District Court
85 Marconi Boulevard
Columbus, Ohio 43215

FROM: Rikkile Brown
38 High Rock Street
Lynn, MA 01902

RE: United States v. Sean D. Murphy
Case No. 2:11-CR-10 GCS

DATE: December 23, 2011

Dear Judge Smith:

I write on behalf of my ex-husband, Sean D. Murphy. We have a son, Logan W. Brown, who is autistic and attends Special-Ed classes. It is difficult handling all of our son's needs by myself. I am currently receiving treatment for Human Papaloma Virus (HPV) Cancer. I am engaged in my second round of Chemotherapy and Radiation. My Oncologist says that if my cancer does not go into remission, it will overcome me within two years.

All of Sean's family is dead and therefore cannot assist me in any way. My father died in 2004. My mother is a recovering drug addict who can barely take care of herself. I am worried that our son will end up as a Ward of the State after I am gone.

If the law somehow allows you to lower Sean's sentence so that he can come home sooner to help care for our son, I would ask that you consider a sentence reduction for family reasons. Aside from Sean's history, he is a good person with a big heart. He is very smart and deals with others well. I am convinced that his legitimate work will provide him with the money he needs to lead a normal productive life. Sean is almost 50 years old and I believe he is ready to change. Please give him a chance.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Rikkile Brown". The signature is written in a cursive, flowing style.

Rikkile Brown